

Lieutenant Governor's Office



Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
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Functional and Organizational Analysis of the Lieutenant Governor's Office

Sources of Information

- Representatives of the Lieutenant Governor's Office
- Code of Alabama 1975 § 17-2-1 through § 17-2-3, § 17-16-20, § 29-4-50
- Constitution of Alabama 1875
- Constitution of Alabama 1901
- Alabama Government Manual (2002), pp. 9-11
- Holdings of the Department of Archives and History for the Lieutenant Governor's Office
- Government Records Division, State Agency Files (1985-ongoing)
- Martin, David L. *Alabama's State and Local Governments* (1975).
- Alabama Law Institute, *The Legislative Process: A Handbook for Alabama Legislators*, 7th edition (1999).

Historical Context

The Alabama Constitution of 1868 established the position of lieutenant governor to assume the governor's duties in the event of the governor's death, impeachment, disability, or absence from the state for more than 20 days and to preside over the Senate. While the Alabama Constitution of 1875 omitted this position, the Alabama Constitution of 1901 reinstated the lieutenant governor's office, stipulating that qualified individuals must be at least thirty years of age, a citizen of the United States for at least ten years, and a resident of Alabama for at least seven years preceding the election. Prior to 1868 and during the interim from 1875 to 1901 when the lieutenant governor's office did not exist, the president of the Senate, elected by its members, would have assumed the governor's duties in the event of the governor's death, impeachment, disability, or absence from the state for more than 20 days. The Constitution of 1901 provided that the lieutenant governor be elected by qualified electors for one four-year term. Rather than running together as one ticket as they do in many other states, Alabama's lieutenant governor is elected separately from the governor. In the 1960s, approval of amendment 282 allowed the lieutenant governor to be eligible for one additional consecutive term.

Agency Organization

The lieutenant governor receives an annual appropriation from the legislature and appoints personnel to carry out the duties of the office. Although the organization may change from one administration to the next, the office staff members typically include a chief of staff, legislative director, constituent director, and administrative assistants. An organizational chart is attached.

Agency Function and Subfunctions

The lieutenant governor serves as *ex officio* president of the Senate and *ex officio* member of other governmental committees, boards, and authorities. The Office of Lieutenant Governor is one of the agencies responsible for performing the Policy and Statute Development function of Alabama government.

In performance of their duties, the lieutenant governor and his/her staff members may engage in the following subfunctions.

- **Presiding.** Alabama's Constitution designates the lieutenant governor as *ex officio* president and presiding officer of the Senate. In discharging his/her duties, the lieutenant governor is responsible for convening the body into session, for the preservation of order in the chamber, and for the determination of points of order, subject to appeal from the floor. The lieutenant governor also plays important roles in the appointment of Senate standing committees and the assignment of bills to those committees. As the presiding officer of the Senate, the lieutenant governor has no right to vote in Senate proceedings except in the event of a tie.
- **Serving on Boards, Commissions, and Authorities.** The lieutenant governor is *ex officio* chair of the Legislative Committee on Examiners of Public Accounts and the Alabama Film Commission. Other constitutional and statutory memberships of the lieutenant governor include, but are not limited to, the following: the Legislative Council; Alabama Historical Commission; Alabama Correction Institutions Finance Authority; Joint Committee on Administrative Regulation Review; Toll Road, Bridge and Tunnel Authority; and Judicial System Study Commission
- **Appointing.** The legislature sometimes provides that, in the creation of a board or commission, certain appointments be made by the lieutenant governor. Currently the lieutenant governor makes appointments to several entities including the Water Resources Commission, State Farmers Market Committee, Governor's Mansion Advisory Board, Judicial System Study Commission, Alabama Housing Finance Authority, Alabama Children's Policy Council, Alabama Supercomputer Authority, and the Alabama Insurance Board.

In presiding over the Senate, serving on boards, and making appointments, the lieutenant governor actively participates in developing Alabama's public policy initiatives.

- **Providing Constituent Services.** The lieutenant governor, elected by popular vote, responds to the concerns of constituents through e-mail, letters, faxes, and telephone calls. The office receives an increasing volume of constituent correspondence with each administration.

- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities include internal office management work common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Lieutenant Governor's Office

Agency Record Keeping System

The Lieutenant Governor's Office currently operates a hybrid record keeping system composed of paper and electronic records. The agency utilizes Microsoft Access to maintain a database for tracking constituent correspondence. The database is maintained by the Information Services Division, Department of Finance.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Lieutenant Governor's Office: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all their fiscal, legal, and administrative requirements have been met. All of the temporary records created by the Lieutenant Governor's Office are listed under the subfunction of Administering Internal Operations.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Presiding

- **Legislation Files.** Because the lieutenant governor serves as ex officio president and presiding officer of the Senate, s/he may create records pertaining to proposed legislation and communication with legislators. These records may provide insight into the role of the lieutenant governor's office, particularly when the lieutenant governor does not belong to the same political party as the governor. **(Bibliographic Title: Legislation Files)**

Serving on Boards, Commissions, and Authorities

- **Meeting Minutes.** The lieutenant governor maintains meeting minutes for various boards and commissions on which s/he serves. For example, the lieutenant governor, in his/her capacity as the president of the Senate, is the chair of the Legislative Committee on Public Accounts. These meeting minutes should be maintained permanently as key documentation of the decisions and actions of these boards and commissions. **(Bibliographic Title: Meeting Minutes)**

Appointing

- **Appointment Files.** The legislature provides that the lieutenant governor makes appointments to certain boards and commissions. Other organizations may also request that the lieutenant governor make appointments to their governing bodies. Types of information in the appointment files may be appointment letters, correspondence offering recommendations, and other related materials. These files should be maintained permanently as they document the lieutenant governor's impact on the composition of boards and commissions during his/her term of office. **(Bibliographic Title: Appointment Files)**

Providing Constituent Services

- **Constituent Correspondence Files.** In these files, organized by county, constituents discuss their concerns/problems with the lieutenant governor. This series provides documentation of the dominant citizen issues during a particular administration. **(Bibliographic Title: Constituent Correspondence Files)**
- **Constituent Correspondence Tracking Database.** This database keeps track of when letters are received and replies sent to ensure that constituents receive responses on a timely basis. This database serves as a finding aid to the correspondence files allowing letters from a particular correspondent or on a specific topic to be retrieved. **(Bibliographic Title: Constituent Correspondence Tracking Database)**

Administering Internal Operations

- **Policies and Procedures.** Each administration may create its own policies and procedures to govern the actions of those employed by the office. This series needs to be maintained permanently to serve as evidence of the administrative activities of each lieutenant governor. **(Bibliographic Title: Policies and Procedures)**
- **Administrative Files of the Lieutenant Governor.** This series often consists of subject and issue files which help document the lieutenant governor's administration. Typical records in these files may include correspondence, memoranda, reports, speeches, agency publications, and other materials concerning the agency, professional organizations, specific programs, and fiscal and personnel matters. **(Bibliographic Title: Administrative Files)**
- **Scheduling Files.** In order to keep track of engagements, the lieutenant governor may maintain scheduling files which document meetings, commitments, speeches, and other activities of the office. These files provide key documentation of the daily actions of the lieutenant governor. **(Bibliographic Title: Scheduling Files)**
- **Press Releases.** This series consists of statements or announcements issued for distribution to the news media and the public by the lieutenant governor's office. Included may be copies of news releases, published articles, photographs, and other

public relations materials. The files may also contain background information relative to the news release, or newspaper clippings of the release. The records should be maintained permanently as they provide a centralized file that documents the lieutenant governor's public relations activities. **(Bibliographic Title: Press Releases)**

- **Photograph Files.** This series consists of photographs which may be taken by the lieutenant governor's staff or provided by constituents. These photographs serve as evidence of the lieutenant governor's activities and should be maintained permanently. **(Bibliographic Title: Photograph Files)**
- **News Clippings.** For reference, the lieutenant governor's office may clip articles from newspapers which relate directly to the administration and provide a concentrated source of information on the office. **(Bibliographic Title: Photograph Files)**
- **Informational and Promotional Publications.** This series consists of publications, such as newsletters, reports, and brochures, that are prepared and distributed by the lieutenant governor's office for informational and public relations purposes. Three copies of each publication should be maintained permanently as supplementary documentation of the public relation's efforts of the lieutenant governor's office. **(Bibliographic Title: State Publications)**
- **Website.** The office maintains a website at www.ltgov.state.al.us. Information on the website includes a biographical sketch of the lieutenant governor, a photo gallery, press releases, office staff contact data, a roster of past lieutenant governors, and blank forms that may be utilized by constituents to communicate with the lieutenant governor. The website needs to be preserved annually or as often as significant changes are made. **(Bibliographic Title: Website)**
- **Inventory Lists.** The Code of Alabama 1975 § 36-16-8[1] requires that "... All [state agency] property managers shall keep at all times in their files a copy of all inventories submitted to the Property Inventory Control Division, and the copies shall be subject to examination by any and all state auditors or employees of the Department of Examiners of Public Accounts." These files need to be maintained in the agency's office.

Permanent Records List Lieutenant Governor's Office

Presiding

1. Legislation Files

Serving on Boards, Commissions, and Authorities

1. Meeting Minutes

Appointing

1. Appointment Files

Providing Constituent Services

1. Constituent Correspondence Files
2. Constituent Correspondence Tracking Database

Administering Internal Operations

1. Policies and Procedures
2. Administrative Files of the Lieutenant Governor
3. Scheduling Files
4. Press Releases
5. Photograph Files
6. News Clippings
7. Informational and Promotional Publications
8. Website
9. Inventory Lists*

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Lieutenant Governor's Office Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Lieutenant Governor's Office. The RDA lists records created and maintained by the Lieutenant Governor's Office in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Lieutenant Governor's Office. Copies of superseded schedules/RDAs are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials,

plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

- Any record created prior to 1900 shall be regarded as permanent unless there is a specific action by the State Records Commission to authorize its destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Lieutenant Governor's Office and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Presiding

LEGISLATION FILES

Disposition: PERMANENT RECORD.

Serving on Boards, Commissions, and Authorities

MEETING MINUTES

Disposition: PERMANENT RECORD.

Appointing

APPOINTMENT FILES

Disposition: PERMANENT RECORD.

Providing Constituent Services

CONSTITUENT CORRESPONDENCE FILES

Disposition: PERMANENT RECORD.

CONSTITUENT CORRESPONDENCE TRACKING DATABASE

Disposition: PERMANENT RECORD.

Administering Internal Operations: Managing the Agency

POLICIES AND PROCEDURES

Disposition: PERMANENT RECORD.

ADMINISTRATIVE FILES OF THE LIEUTENANT GOVERNOR

Disposition: PERMANENT RECORD.

SCHEDULING FILES

Disposition: PERMANENT RECORD.

PRESS RELEASES

Disposition: PERMANENT RECORD.

PHOTOGRAPH FILES

Disposition: PERMANENT RECORD.

NEWS CLIPPINGS

Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL PUBLICATIONS

Disposition: PERMANENT RECORD.

Administrative Reference Files (materials not created by the agency, collected and used only as reference sources of information)

Disposition: Temporary Record. Retain for useful life.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's RDA (copies of transmittal forms to Archives or State Records Center, destruction notices or other evidence of obsolete records destroyed, annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA was superseded.

System Documentation (hardware/software manuals and diskettes, warranties, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists in the agency and all permanent records have been migrated to a new system.

WEBSITE

Disposition: PERMANENT RECORD. Preserve a complete copy of website annually or as often as significant changes are made.

**Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings
Posted by State Agencies**

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers, and records of funds deposited outside the state treasury, including bank statements, deposit slips, and canceled checks

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of contract (Code of Alabama 1975 § 6-2-34).

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Human Resources

Position Classification Files

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Records documenting application for employment

Disposition: Temporary Record. Retain 1 year after request.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 25 years after separation of employee from the agency.

Records documenting payroll (e.g. pre-payroll report, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting Equal Employment Opportunity (Code of Federal Regulations, Title 29)

a. Compliance Records

Disposition: Temporary Record. Retain 3 years after the close of the program year.

b. Complaint Records

Disposition: Temporary Record. Retain 3 years from the date of resolution of the complaints.

Worker Compensation Injury and Settlement Reports

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred (Code of Alabama 1975 § 25-5-4).

Administering Internal Operations: Managing Properties, Facilities, and Resources

Real Property Leasing/Rental Records

Disposition: Temporary Record. Retain 6 years after termination of lease or rental agreement.

Records documenting reporting on real property

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16- 8[1]).

Transfer of State Property Forms (SD-1) (Agency Copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting maintenance of vehicle and equipment

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the property is removed from the inventory.

Records documenting use of the Motor Pool

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Under the Code of Alabama 1975 § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Lieutenant Governor’s Office (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in January of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

The staff of the State Records Commission may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on January 22, 2004.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

Lucy Baxley
Lieutenant Governor

Date